

REMARKS

Claims 1-21 were presented for examination, and all Claims were rejected. Claims 1-21 are currently pending, of which Claims 1, 6, 15 and 21 are independent. Applicants submit that Claims 1-21 are in condition for allowance. In the present amendment, Claims 1, 6-8, 15, 20 and 21 are amended. No new matter has been introduced. Upon entry of the present amendment, Claims 1-13 and 15-21 will be currently pending in this application, of which Claims 1, 6, 15 and 21 are independent. Applicants submit that Claims 1-13 and 15-21 are in condition for allowance.

The following comments address all stated grounds of rejection. Applicants traverse all rejections to the extent they are maintained over the Claims as amended and urge the Examiner to pass the Claims to allowance in view of the remarks set forth below.

NON-STATUTORY OBVIOUSNESS-TYPE DOUBLE PATENTING

Claims 1, 14, 15 and 21 were rejected under non-statutory obviousness-type double patenting over claims 1, 15, 18, 22 and 32 of U.S. Patent No. 7,644,434 to Pollutro in view of US Patent Publication No. 2003/0005118 to Williams ("Williams"). Applicants hereby submit a terminal disclaimer and request that the Examiner withdraw the double patenting rejection.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

I. Claims 21 Rejected Under 35 U.S.C. §101

Claims 21 was rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Applicants hereby amend Claims 21 to recite a computer readable non-transitory storage

medium, and submit that amended Claim 21 is directed to statutory subject matter. Accordingly, Applicants request the Examiner to withdraw the rejection of Claim 21 under 35 U.S.C. § 101.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

II. Claims 1-13 and 15-21 Are Rejected as Unpatentable over Williams and Nguyen

Claims 1-13 and 15-21 are rejected under 35 U.S.C. § 103 as unpatentable over U.S. Patent Publication No. 2003/0005118 to Williams ("Williams") in view of U.S. Patent No. 7,368,889 to Nguyen ("Nguyen"). Amended Claims 1, 6, 15 and 21 are independent. Claims 2-5 depend on and incorporate all of the patentable subject matter of independent Claim 1, as amended. Claims 7-13 depend on and incorporate all of the patentable subject matter of independent Claim 6, as amended. Claims 16-20 depend on and incorporate all of the patentable subject matter of independent Claim 15, as amended. Applicants traverse this rejection to the extent maintained over the Claims as amended, and submit that the combination of Williams and Nguyen fails to teach or suggest each and every element of the claimed invention.

A. Independent Claims 1, 15 and 21 Patentable over Williams and Nguyen

To establish *prima facie* obviousness of a claimed invention, all the Claim limitations must be taught or suggested by the prior art. Claims 1, 15 and 21 recites, in part:

determining, in response to matching the session identification flag with a predefined value, that a valid session identifier has been included as a new portion of the transmitted message during the modification, the new portion available for extraction at a pre-established location within the transmitted message, and extracting the session identifier of the transmitted message at the pre-established location to determine the originator of the message.

The combination of Williams and Nguyen fails to disclose at least the above elements of the claimed invention.

The combination of Williams and Nguyen fails to teach or suggest determining, in response to matching the session identification flag with a predefined value, that a valid session identifier has been included as a new portion of the transmitted message during the modification, the new portion available for extraction at a pre-established location within the transmitted message to determine the originator of the message. The Examiner relies only on Nguyen for the flag features. In Nguyen, however, each action type flag merely specifies how a corresponding packet vector should be treated, i.e., whether it is a command or attribute, or includes data that should be checked, displayed or included in a response (see col. 4, lines 42-44, and Table 3). Nowhere does Nguyen's flag indicate that a valid session identifier has been included as a new portion of the transmitted message during a packet modification in which the same flag is also added, or further that the newly-included portion is at a pre-established location so that an entity receiving the modified message can locate and extract the new portion. And even though Nguyen's packet header includes a session identifier, Nguyen's flags are functionally decoupled from this session identifier (see FIG. 2, col. 3, lines 61-65, and col. 4, lines 42-44). Williams, on the other hand, fails to even contemplate inclusion or use of any flag, let alone one that indicates that a valid session identifier has been included as a new portion of the transmitted message at a pre-established location to facilitate extraction from the message. Thus, Williams' session identifier fails to align with Nguyen's flags, which are functionally indifferent to session identifiers, and lack the claimed features as discussed above. Accordingly, the combination of Williams and Nguyen fails to disclose each and every element of amended Claims 1, 15 and 21.

Because Williams and Nguyen fails to teach or suggest each and every element of Claims 1, 15 and 21, Applicants submit that independent Claims 1, 15 and 21, and dependent Claims 2-5, 7-13 and 16-20, are patentable and in condition for allowance. Accordingly, Applicants

request the Examiner to withdraw the rejection of Claims 1-5, 7-13 and 15-21 under 35 U.S.C. § 103.

B. Independent Claim 6 Patentable Over Williams and Nguyen

To establish *prima facie* obviousness of a claimed invention, all the Claim limitations must be taught or suggested by the prior art. Since Claim 6 includes similar features discussed above in connection with Claims 1, 15 and 21, the arguments above apply with equal force here. Accordingly, Applicants submit that Claim 6 is patentable and in condition for allowance. Claims 7-13 depend on and incorporate all the patentable subject matter of independent Claim 6. Therefore, Applicants submit that Claims 7-13 are also patentable and in condition for allowance. Accordingly, Applicants request the Examiner to withdraw the rejection of Claims 6-13 under 35 U.S.C. § 103.

CONCLUSION

In light of the aforementioned amendments and arguments, Applicants contend that each of the Examiner's rejections has been adequately addressed and all of the pending Claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending Claims.

Should the Examiner feel that a telephone conference with Applicants' representative would expedite prosecution of this application, the Examiner is urged to contact Applicants' representative at the telephone number identified below.

Respectfully submitted,

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